

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

JANINE A. BILYEU )  
                      )  
v.                   )                        NO. 3:09-0909  
                      )  
THE METROPOLITAN GOVERNMENT OF )  
NASHVILLE AND DAVIDSON )  
COUNTY, TENNESSEE, et al.      )

**ORDER**

By contemporaneously entered Report and Recommendation, the Court has recommended that the Plaintiff's federal employment discrimination claims be dismissed as untimely and that the Court decline to exercise supplemental jurisdiction over the Plaintiff's state law claims and dismiss these claims without prejudice. If the Report and Recommendation is adopted, the action will be concluded in this Court.

There are currently several motions pending before the Court: Plaintiff's motion to substitute (Docket Entry No. 136); Defendants' motion to defer consideration of the Plaintiff's motion to substitute (Docket Entry No. 138); Plaintiff's motion for leave to late file supplements and depositions (Docket Entry No. 139); Plaintiff's three motions to include supplemental affidavits and case law (Docket Entry Nos. 141, 142, and 146); Plaintiff's motion to file a tape recording of June Keel (Docket Entry No. 148); and Plaintiff's motion for a hearing (Docket Entry No. 151). In light of the recommendation for dismissal of the action, these pending motions are hereby DENIED AS MOOT, with leave to be re-filed by the parties if the Report and Recommendation is rejected and this action is permitted to proceed in this Court.

Any party desiring to appeal this Order may do so by filing a motion for review no later than fourteen (14) days from the date this Order is served upon the party. The motion for review must be accompanied by a brief or other pertinent documents to apprise the District Judge of the basis for appeal. See Rule 72.02(b) of the Local Rules of Court.

So ORDERED.

  
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JULIET GRIFFIN  
United States Magistrate Judge